

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**MIKE O’LAUGHLIN, et al.**

**Plaintiffs,**

**v.**

**THOMAS W. ALBERS, et al.,**

**Defendants.**

**No. 4:14CV1482 SNLJ**

**MEMORANDUM and ORDER**

This matter is before the Court for examination pursuant to Federal Rule of Civil Procedure Rule 4(m).

Plaintiff commenced this action on August 27, 2014, naming Thomas W. Albers, Debi Albers, and Thomas E. Albers as defendants. A review of the Court file shows that defendant Thomas E. Albers has not been served in this matter nor has service been waived on his behalf. Under Rule 4(m), Federal Rules of Civil Procedure, the Court, after notice to the plaintiff, is directed to dismiss an action against a defendant upon whom service has not been made within 120 days after the filing of the complaint.

The Rule 4(m) period for service expired December 25, 2014, 120 days after the filing of plaintiff's complaint.

Therefore,

**IT IS HEREBY ORDERED** that plaintiff shall cause service to be effected upon defendant Thomas E. Albers no later than March 24, 2015. In the absence of good cause

shown, failure to timely serve said defendant shall result in the dismissal of plaintiff's claims as to said defendant without prejudice.

Dated this 10th day of March, 2015.

A handwritten signature in cursive script, reading "Stephen N. Limbaugh, Jr.", written in dark ink.

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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE